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C O N F I D E N T I A L SECTION 01 OF 02 ANKARA 002049

SIPDIS

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SUBJECT: TURKEY: PKK LEADER OCALAN MAY GET COMPANY

Classified By: Adana Principal Officer Eric Green for reasons 1.4(b,d)

11. (U) This is an AmConsulate Adana message.

12. (SBU) Summary: Acting on a year-old rebuke from the Council of Europe's Committee (COE) for the Prevention of Torture (CPT), the GOT has announced potential plans to modify the conditions of PKK leader Abdullah Ocalan, who has been in solitary confinement since his arrest in 1999. The government announced it could move additional inmates to the prison on Imrali island in the sea of Marmara where Ocalan is currently the sole captive. Justice Minister Sahin stated November 24 that such a change might hinge on Ocalan calling for an end to violence. If the government proceeds, the move would both comply with the CoE, and also help control the rumors (whose source is always Ocalan) that he is being mistreated, which has motivated scores of protests over the years. Contacts in the Southeast, however, welcomed the move because it is likely to reduce the number and intensity of protests in the near term, but expressed skepticism that it signals a new GOT approach to the Kurdish issue. Nationalists, sensing a chance to criticize the ruling Justice and Development Party (AKP) government, condemned the move as a prelude to a full pardon for Ocalan. End summary.

Nine Years of Solitary Confinement

13. (U) Since his 1999 capture and subsequent conviction, PKK leader Abdullah Ocalan has been the sole inmate in a prison on Imrali island in the Sea of Marmara (south of Istanbul). Kurdish nationalists and human rights activists have protested his terms of confinement and allegations of mistreatment to Ankara, European institutions and on the streets for several years. In October Ocalan) whose personality cult among PKK sympathizers approaches North Korean dimensions) accused a guard of manhandling him and making threatening remarks, triggering thousands of protesters to take to the streets, sparking several violent clashes with the police.

14. (U) The Council of Europe's Committee for the Prevention of Torture (CPT) has visited Imrali several times and criticized the extended use of solitary confinement for Ocalan. In March, the CPT called on Turkey to end Ocalan's isolation, after representatives who visited him in May 2007 expressed alarm at the deterioration in his mental health. The report said Ocalan was suffering from "chronic stress and prolonged social and emotional isolation" and "a feeling of abandonment" and urged Turkey to "completely revise Abdullah Ocalan's situation with the aim of integrating him into a

place where contacts are possible with other prisoners and which would allow him a greater range of activities." The report added he should be allowed to watch television, phone his relatives and see his lawyers alone, and receive more regular visits to the prison.

15. (C) Though Ankara initially rejected the Council of Europe's recommendations, last week Justice Minister Sahin announced the government is building new cells on the island and could transfer 5-6 other detainees there. However, Sahin emphasized November 24 that no decision has been made yet, and that it might hinge on Ocalan issuing a call against violence. If the government proceeds with transferring additional detainees, Hamza Yilmaz, a former Ocalan attorney, told us he believes Ocalan would be able to choose his new fellow prisoners, which should reduce the risk that hostile inmates might pose a risk to his well-being. Yilmaz added that other prisoners sentenced to life are allowed to live in the company of other inmates. But according to press reports, Ocalan will remain in solitary, but have contact with other prisoners for about ten hours per week (including the opportunity to play volleyball).

GOT: Responding to Pressure from the West, the East or both?

16. (C) Diyarbakir human rights attorney Sezgin Tanrikulu told us he believes the GOT instituted the changes because continued defiance of the CPT could have led to unpleasant publicity, including the possibility of expulsion from the CoE. Other contacts in the region suspect the violent

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protests in the region during the past six weeks may have also been a factor. The ruling AKP has lost popularity in the heavily Kurdish southeastern region and it is likely seeking ways to repair its image in the run-up to the March local elections.

17. (U) There may be other pragmatic motivations as well, according to Sedat Laciner, Chief of the National Strategic Research Institution. He noted on his organization's website that introducing other prisoners to Imrali could be a way to clamp down on rumors of Ocalan's mistreatment. Denials of such rumors by Turkish officials are not believed by many Kurdish nationalists, but having more "independent" witnesses in the prison could help (though this is limited by the fact that most of Ocalan's time will still be spent in solitary confinement). More broadly, by making Ocalan's treatment the same as other prisoners, the GOT removes some of the PKK leader's special status.

Local Reaction Muted Thus Far

18. (C) All of our contacts expressed hope that this move will greatly minimize the ability of militants to use Ocalan's conditions as a cause for protest. But Serdar Sengul, an aide to Diyarbakir Mayor Osman Baydemir, said political and economic hardships are the main destabilizing factor (even if Ocalan's condition is used as a pretext) and disorder is always a possibility until the government takes serious steps on Kurds' grievances. Caglayan Ayhan, another Diyarbakir official, said the proposed changes have not yet been much discussed in Diyarbakir, in part because people are reluctant to talk about Ocalan's mental health, which was a core element of the CPT report. She said that a hint of the government's changed attitude was evident during PM Erdogan's October visit, when he referred to the "one in Imrali" rather than labeling Ocalan a terrorist. She added, however, that if this action was seen as part of a pattern of broader reforms, then it would be welcomed warmly. But if it is just an isolated concession it will do little to change public attitudes. Ultimately, Sengul said, the DTP, the PKK and many Kurds in the region will take their cues from Ocalan.

19. (SBU) Yilmaz Akinci, a Diyarbakir-based journalist, warned the move could also spark nationalist backlash. The initiative has already been criticized by the main opposition Republican People's Party (CHP) and Nationalist Action Party (MHP) while an organization that represents victims of terrorism has threatened to file suit if the Imrali prison is converted to a normal "F type" facility. Tugrul Turkes, an MHP deputy told the media that "It's a first step before issuing amnesty to Ocalan. No prisoner has ever seen such tolerance and goodwill from the state in any country. What they (the government) are trying to do is to turn Ocalan into an ordinary prisoner and to pardon him."

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